

**DELEGATION OF AUTHORITY  
SAFE DRINKING WATER ACT (SDWA)**

**Part C, Underground Injection Control: Findings of Violation and Notification**

1. **AUTHORITY.** To perform the following functions relating to enforcement pursuant to the Safe Drinking Water Act, Part C, Underground Injection Control Program:
  - a. Pursuant to section 1423(a)(1) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State has primary enforcement responsibility for underground water sources, and notifying the primacy State and persons violating an underground injection control program requirement of such a finding; and
  - b. Pursuant to section 1423(a)(2) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State does not have primary enforcement responsibility for underground water sources.
2. **TO WHOM REDELEGATED.** To the Director, Enforcement and Compliance Assurance Division, or equivalent.
3. **LIMITATIONS.**
  - a. The division director must consult with regional counsel, or equivalent, before exercising these authorities.
  - b. The AA for OECA may exercise these authorities in multi-regional cases and cases of national significance and must notify the appropriate division director when exercising these authorities.
4. **REDELEGATION AUTHORITY.**
  - a. These authorities may be redelegated to the section chief level, or equivalent, and no further.
  - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESSION.** This delegation supersedes R10 9-7-B (06/26/2017) and any other delegation of the same authority.

**6. ADDITIONAL REFERENCES.**

- a. See delegations:
  - i. 9-16-A, "Civil Judicial Enforcement Actions";
  - ii. 9-17, "Emergency Administrative Powers"; and
  - iii. 9-34, "Administrative Penalties and Compliance Orders With Administrative Penalties—Underground Injection."
- b. EPA Guidance on UIC Administrative Order Procedures.
- c. EPA Delegation 9-7-B.

May 16, 2019  
Date

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